

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

IN RE:) In Proceedings
) Under Chapter 13
Alicia Y Kirkland)
)
) Bk. No: 15-31860
Debtor(s))

**CHAPTER 13 TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO FILE
TAX RETURN(S)**

TO THE HONORABLE U. S. BANKRUPTCY JUDGE:

COMES NOW, RUSSELL C. SIMON, Chapter 13 Trustee, and for his Motion, states as follows:

Pursuant to 11 USC § 1307(e), upon the failure of the debtor(s) to file a tax return under section 1308, on request of a party of interest or the United States Trustee and after notice and a hearing, the Court shall dismiss a case or convert a case under this chapter to a case under chapter 7 of this title, whichever is in the best interest of the creditors and estate.

The ILLINOIS DEPARTMENT OF REVENUE filed a claim/amended claim on April 12, 2016, (Court Claim number 14) indicating that the Debtor(s) have failed to file tax return(s) for the tax year(s) 2012,2013 and 2014. No objection to the Proof of Claim was filed by the Debtor(s).

Based upon the foregoing, the Trustee seeks dismissal of the instant case.

WHEREFORE, the undersigned Trustee prays this Court for an Order dismissing the instant case, and for all other relief this Court deems just and equitable.

/s/Russell C. Simon
RUSSELL C. SIMON
Chapter 13 Trustee
24 Bronze Pointe
Swansea, IL 62226
Telephone: (618) 277-0086
Telecopier: (618) 234-0124

June 21, 2016

MVH

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing Chapter 13 Trustee's Motion to Dismiss for Failure to File Tax Returns was served on the parties listed below by ordinary U.S. Mail (with the correct postage prepaid and deposited in the U.S. Mail in Belleville, IL) or served electronically through the Court's ECF System at the email address registered with the Court on this day, Tuesday, June 21, 2016.

/s/Marcia

Alicia Y Kirkland
2661 N Illinois St
PMB 316
Belleville, IL 62226

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